

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 272

September 14, 1999, 10:36 a.m.
Page S-10801 Temp. Record

INTERIOR APPROPRIATIONS/Timber Program Reduction

SUBJECT: Department of the Interior and Related Agencies Appropriations Bill for fiscal year 2000 . . . H.R. 2466.
Craig motion to table the Bryan/Wyden amendment No. 1623 to the Bryan amendment No. 1588.

ACTION: MOTION TO TABLE AGREED TO, 54-43

SYNOPSIS: As amended by a committee substitute amendment, H.R. 2466, the Department of the Interior and Related Agencies Appropriations Bill for fiscal year 2000, will provide \$14.058 billion in new budget authority, which is \$239.9 million less than provided last year and \$1.208 billion less than requested.

The Bryan amendment would reduce funding for the timber program by \$34 million to \$196.9 million, which is the funding level requested by the Clinton/Gore Administration. It would spend the money on various other Forest Service programs, including \$20 million for wildlife, fisheries, and rare plant habitat management programs. (Background. The Clinton/Gore Administration proposed timber sales of 3.2 billion board feet from Federal forests; sales for the last 2 years were at 3.6 billion board feet; this bill will provide a funding level that will allow a continuation of sales of 3.6 billion board feet. Federal timber sales have been slashed by 70 percent since 1989. The number of people employed in timber harvesting on Federal Government lands has dropped accordingly, from 140,000 in 1989 to 55,000 today. Most of the job losses have occurred in States that have high Federal Government ownership of land. Approximately 4 percent of the timber now harvested in America is from the National Forest System. The National Forest System has 191.8 million acres of forests. The National Forests have 1 trillion board feet of timber. Each year there is an additional 23 billion board feet of growth, and each year an additional 6 billion board feet worth of timber dies without being harvested. Forty million acres currently exist under an extreme threat of destruction by catastrophic wildfire (such fires are so intense they bake the ground and cause extreme erosion and water pollution for years afterwards). An additional 26 million acres suffer from threat of destruction as a result of disease and insect infestation. Those threats are largely a result of less timber harvesting, because timber harvesting reduces fire hazards by removing dead and dying trees and by removing diseased and insect-infested trees. The cuts have come from the Clinton Administration as well as from court rulings that have delayed or blocked

(See other side)

YEAS (54)			NAYS (43)			NOT VOTING (3)	
Republicans (46 or 87%)	Democrats (8 or 18%)		Republicans (7 or 13%)	Democrats (36 or 82%)		Republicans (2)	Democrats (1)
Abraham	Hutchinson	Baucus	Brownback	Akaka	Kerrey	Gregg ⁻²	Graham ⁻²
Allard	Hutchison	Breaux	Chafee	Bayh	Kerry	McCain ⁻²	
Ashcroft	Inhofe	Byrd	DeWine	Biden	Kohl		
Bennett	Kyl	Daschle	Fitzgerald	Bingaman	Lautenberg		
Bond	Lott	Johnson	Jeffords	Boxer	Leahy		
Bunning	Lugar	Landrieu	Roth	Bryan	Levin		
Burns	Mack	Lincoln	Specter	Cleland	Lieberman		
Campbell	McConnell	Wellstone		Conrad	Mikulski		
Cochran	Murkowski			Dodd	Moynihan		
Collins	Nickles			Dorgan	Murray		
Coverdell	Roberts			Durbin	Reed		
Craig	Santorum			Edwards	Reid		
Crapo	Sessions			Feingold	Robb		
Domenici	Shelby			Feinstein	Rockefeller		
Enzi	Smith, Bob (I)			Harkin	Sarbanes		
Frist	Smith, Gordon			Hollings	Schumer		
Gorton	Snowe			Inouye	Torricelli		
Gramm	Stevens			Kennedy	Wyden		
Grams	Thomas						
Grassley	Thompson						
Hagel	Thurmond						
Hatch	Voinovich						
Helms	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

timber sales. The Federal Government has a commercial timber program which produces net revenue for the Forest Service and a stewardship program which has a net cost. Under the stewardship program companies harvest dead and dying trees that pose an environmental hazard to the forest, but the value of the timber they collect and pay the Forest Service for is less than the costs that the Forest Service spends to prepare the sales (primarily from road repairs). The cost to the Forest Service of doing the job itself would be greater, though, and the danger of not doing so is that there can be huge, catastrophic fires or disease and insect infestation that could spread to healthy forests. Until the last two years, the Forest Service managed the entire timber program at a net profit; essentially, loggers paid for the maintenance of the forests instead of the Government paying for that maintenance. For the commercial program, 99 percent of the sales are in areas that have been logged previously, and 90 percent of the Federal expenses are to repair old logging roads that are causing environmental damage because they were not originally made to prevent erosion.

The Bryan/Wyden amendment to the Bryan amendment would spend \$10 million on surveys of plants and animals in Federal timber sale areas in the Pacific Northwest (a judge has barred timber harvesting in those areas until the Federal Government counts certain species of plants and animals that are present in those areas; see vote No. 266 for related debate). The draft environmental impact statement (EIS) for conducting those surveys would have to be completed by November 15, 1999, and the final EIS would have to be published by February 14, 2000.

Debate was limited by unanimous consent. After debate, Senator Craig moved to table the Bryan/Wyden amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

Should we turn the National Forest Service into the National Scrublands Service? Do our colleagues want less diversity of species and massive environmental damage? Should we try to see if we cannot come up with some way to make the stewardship of our National Forests even more expensive? Should we spend money on environmental studies that experts tell us no one knows how to conduct, and which will inevitably lead to court challenges that further delay timber harvesting in the Northwest? If our colleagues answer "yes" to any of the above questions, then they should enthusiastically support the Bryan/Wyden amendment.

This issue is extremely complex and has been the subject of a lot of demagoguery from, and unethical behavior by, environmentalists who oppose all logging on Federal lands. Out of ignorance, urban Americans, especially in the East, have fallen for the environmentalist's distortions and fabrications and have bankrolled their cause. Environmentalist groups have been especially disreputable in their legal tactics, using the courts to file baseless suits they know they will lose but which they also know will cause delays in harvesting and economic losses for companies. Another favorite tactic they have is to lie about the type of harvesting that occurs (they typically make claims about "clear cutting" of "virgin, old-growth forests"). They also hypocritically talk about the program having high costs, even though a huge part of those high costs have been caused by actions the Forest Service has to take in response to environmentalists' disreputable legal attacks.

The reality is quite a bit different. At the early part of this century vast areas of the United States had been clear cut. Also, millions of acres which are now part of the National Forest System had, in their "natural" state without any cutting at all, fewer than one-tenth of the trees they have now--they were scrublands, not forests. With proper management of the lands, a huge, healthy national forest system was developed. Millions of acres of forest grew where only a few trees per acre ever grew before, and lands that grew back from earlier clear cutting had a wider, healthier diversity of species (in many "old growth" forests, a few species of mature trees crowd out almost all light, and the result is few other plants and fewer animals). The Forest Service has managed the land by removing dead, dying, diseased, and insect-infected timber. In drier areas, which have a large buildup of such timber, the chances of huge fires are greatly increased. The Forest Service has allowed companies to harvest such timber, at a price, and it has also made money by allowing companies to harvest, at a price, some green timber. Historically, the Forest Service has made a net profit from its timber program. Its costs of preparing harvests for sale have been less than it has made from sales to private timber companies. In effect, the timber companies instead of the taxpayers paid for the management of the forests. Many of the roads that were made, though, were not made with an understanding of the erosion they would cause. Miles of existing roadways through the National Forests now cause runoff that increases turbidity in some streams.

In this decade, due to pressure from groups like the Sierra Club that want to end all timber harvests, and due to hostility to timber cutting from the Clinton/Gore Administration, timber harvests on public lands have gone down by 70 percent. The result for the rural communities in public lands States that depended on those harvests has been catastrophic, as two-thirds of the timber jobs involved have been lost. Unemployment rates are at three times the national average in such communities, and local governments have lost so much in tax revenue that some public schools have even had to go to 4-day school weeks in an effort to stay open.

For the health of the forests the results have been even more damaging. Forest Service funding has not climbed for it to take over all of the stewardship activities that were formerly taken care of by the timber program, or to replace the net revenues that have been lost. About one-third of forest lands are now in a crisis situation. Catastrophic fires could occur that could eliminate endangered species and bake the ground with heat so intense it would cause massive runoff and water pollution for years to come. In many areas, such as around Lake Tahoe, Nevada, one can see a visible tree line marking the end of State and private forest lands, which are

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healthy and green due to their proper care, and the brown, dead, and dying trees on Forest Service lands. In those dying areas, the problem is compounded by existing roadways that were made improperly and have not been maintained, and which are causing greater erosion and water pollution.

In the Northwest, where any unattended land naturally reverts to forest, efforts to stop logging have mainly been through the courts. Environmentalists have been successful in filing very imaginative suits, and they have had judges who have been willing to interpret the law creatively on their behalf. They have been able to virtually end harvesting timber on public lands in the Northwest. Overall, twice as much timber is allowed to die and rot on Forest Service lands as is allowed to be harvested, and in many forests, such as the Tongass Forest in Alaska (which also has had harvesting stopped by abuses of the legal system), 30 percent or more of the trees are dead or dying. An effort to save at least some timber jobs in the Northwest ended up with a Clinton plan that cut the harvest level by 80 percent, on paper, but which in practice has cut it by 90 percent. Recently, a judge's ruling requiring certain species to be surveyed (counted) before any trees are cut has put that last 10 percent into question.

With all of the above as background, we turn to the effects of the pending amendment. Like the underlying amendment, it would start by cutting \$34 million from the timber program. It would then spend \$24 million on forest stewardship activities and \$10 million on species surveys for the Northwest Forest Plan. The first problem with this amendment is that it would lead to a net reduction in forest stewardship activities. The timber program's funds are used primarily for such activities. Fully 99 percent of the timber activities are on lands that have been cut previously and which already have timber roads, and fully 90 percent of the Federal expenditures are on improving existing roadways to make them environmentally safe. In other words, the funding that would be cut is funding for needed environmental repairs in the National Forests that are in the worst shape, such as the forests around Lake Tahoe. Further, the amendment would cut funding for sales that generate net revenues directly for the Government, without even counting the millions of dollars in indirect higher tax revenues that are generated. When the Forest Service gets timber revenues it uses them for more stewardship activities. The timber program, in the last couple of years, has had a net cost but it still is close to breaking even. In other words, if \$230 million were spent on the timber program (most of which would be spent on stewardship activities), almost \$230 million would be raised from the program, which could then be spent on even more stewardship activities. Thus, any cut in the timber program to spend money directly on stewardship of the forests would result in a net reduction in the amount of money available. With less stewardship, the National Forests would further deteriorate. The second problem with this amendment is that its earmark for the Northwest Forest Plan would not work as intended. Our colleagues proposed that earmark in an effort to comply with an activist judge's ruling that certain species had to be counted before any timber could be harvested. Most experts believe that some of the mandated surveys are impossible to conduct. Requiring them to be conducted, and putting a strict timeframe on coming up with a plan for getting the job done, just would lead to more legal wrangling. It would be extremely easy to find experts to say that the surveys were flawed, and in this case those experts would probably be right. The approach taken by the underlying bill is much better--the judge based his decision on his interpretation of a regulation, so this bill will just clarify the regulation.

This bill will hold the timber program at the same level it has been for the last two years. President Clinton proposed cutting it even more, and this amendment would provide that cut. Trees are a renewable resource, and we are already harvesting them off the public lands at a level that is well below the replacement rate. Harvesting has been cut by 70 percent in the last 10 years; we will not support cutting it any more. We strongly oppose this amendment.

Those opposing the motion to table contended:

Argument 1:

The timber program is the ultimate corporate welfare program. The Federal Government lets private companies bid for the right to cut down trees in the National Forests, which belong to all Americans, and it then cuts ugly roads through pristine wildernesses so those companies can get to those trees to cut them down. The Forest Service, by underestimating its costs, for many years claimed that it made money off of the program, but in the last 2 years even it has estimated that it has cost it more to allow this despoiling of the forests than it has collected in money. For many decades, the Forest Service saw its existence primarily as being to serve these timber companies. It approved so much logging that we now have more miles of timber roads through national forests than we have interstates. Those roads cause terrible environmental harm, including that they cause erosion that pollutes waterways. Once a company no longer uses a timber road, it is not responsible for its maintenance. The Forest Service cannot handle the job--it has billions of dollars worth of backlogged maintenance projects that it has yet to complete. We believe that the Forest Service's focus needs to be changed from wasting money on new logging to spending more on improving the environment. The Forest Service, in fact, agrees with us on how much money it should spend this year on the timber program--it requested just \$196 million, which is the amount that this amendment would provide. It also requested more for environmental activities, but we unfortunately could not come up with as much money as it needs. This amendment, though, definitely moves in the right direction. We urge our colleagues not to table it.

Argument 2:

We support this amendment largely as a means of complying with the survey requirements that were recently imposed by a judge for the Northwest Forest plan. The amendment would set a strict timetable for compliance. Though we may not like it, those requirements exist, and any attempt to change them will lead to more court challenges than meeting them will. On this issue, we have a simple difference of opinion with our colleagues. We think that passing this amendment is the best chance that we have of allowing some timber harvesting on public lands in the Northwest to continue. Therefore, we oppose the motion to table.